

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

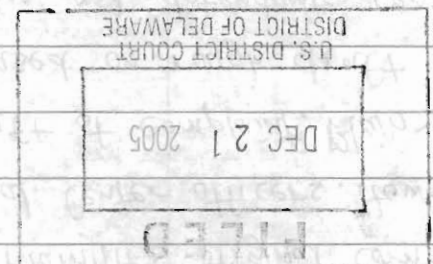
Kevin L. Dickens
Plaintiff,

v.

Stan Taylor, Paul Howard, Richard Seifert,
Anthony Rending, John Ryan, Mike Little, Joe
Hudson, Ms. Havel, IBCC et al, Cpl. Oney, Warden
Tom Carroll, Dep. Warden Betty Burnis, Dep. Warden McGuigan,
Major Cunningham, Capt. Sagers, Capt. Belanger, Staff Lt.
Williams, Staff Lt. Burton, Lt. Savage, IGC Lise Merson, Sgt.
Evans, Sgt. Moran, C/O Harris, Sgt. Tyson, C/O Neal, QRT 1 et al,
Lt. Stanton, C/O Gardeis, Lt. Harvey, Lt. Secord, Lt. Welcome, C/O
Rainey, QRT 2 et al, Jayme Jackson, Lt. Porter, Cpl. Kromka,
Counselor Kromka, Counselor Kramer, Counselor Zanda, Brian
Engram, Ron Drake, Major Holman, First Correctional Medical,
Dr. Arronburl, Brenda Holwerda, Courtney Doe, Cindy Doe,
Delaware Center for Justice, Shakeerah Haikal, Camille
Pringle, Littleton Mitchell, and Frank Scarpetti.

Defendants.

Civ. Action No. 04-201-JJF



MOTION TO AMEND COMPLAINT

Pursuant to Court order dated August 22, 2005, Plaintiff has filed one copy of complaint to be served on each defendant. Plaintiff now moves for motion to amend complaint for the following reasons:

1. This action was commenced in April, 2004, when complaint was filed in U.S. District Court.

2. In Order dated July 21, 2004, this Court ordered that Defendant serve all parties with complaint and send U.S. Marshall Forms for each defendant in 120 days.
3. Before 120 day deadline, this Court prematurely dismissed complaint, erring on October 21, 2004.
4. Plaintiff filed motion for relief from order due to miscalculation and sent Motions to Amend Order and U.S. Marshall Forms to available defendants.
5. This Court reinstated lawsuit on August 22, 2004, with renewed order to send one ~~complaint~~ copy of complaint to court with any outstanding Marshall Forms.
6. Between lengthy period of reinstatement, Plaintiff's original complaint was destroyed by Delaware Correctional Center officers. However, Plaintiff was able to find rough draft of complaint. Plaintiff has sent his renewed complaint based on rough draft due to original being destroyed. All claims and defendants remain the same along with the facts; however, words and syntax may be amended due to lack of original, and may differ from original three copies of complaint that Court received at initial filing in April, 2004.
7. Furthermore, Plaintiff believes that all parties have been sent U.S. Marshall Forms before last Court's Order. In the event that a defendant has been inadvertently omitted, Plaintiff requests a copy of docket sheet or letter from Clerk's Office detailing which defendants are outstanding.

FOR THE FOREGOING REASONS, Plaintiff requests that this Court accept amended complaint and grant said motion.

December 19, 2005

Dated

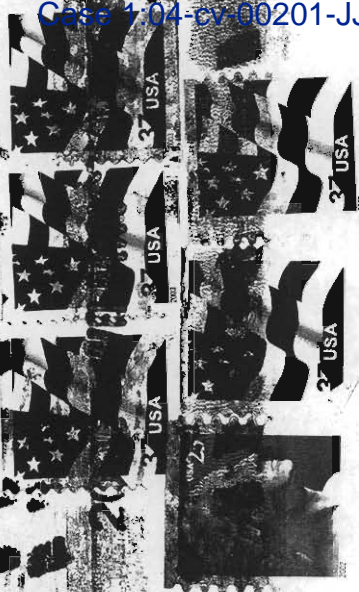
Kevin L. Dickens

TM KEVIN E. DECKENS

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WILMINGTON, DE 19850 DEC 20



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U.S. District Court
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LEGAL
MAIL